

# Notice of Allowability

Application No.

10/631,085

Examiner

Rodney B. White

Applicant(s)

LAVOIE, SCOTT

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Interview on 02/21/2006.
2. ☒ The allowed claim(s) is/are 1 and 3-13, renumbered 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.  |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robin W. Asher (#41,590) on 02/21/2006.

The application has been amended as follows:

#### **In the Claims:**

Claims 2 and 14 have been cancelled

1. (Amended) A seat assembly adapted to be mounted to a floor of a motor vehicle, said seat assembly comprising:

a seat cushion frame having a forward end and a rearward end for supporting an occupant on said seat assembly;

a front support structure pivotally coupled to said forward end of said seat cushion frame for pivoting said seat assembly between a generally horizontal seating position and a generally upright tumbled position; and

a locking strut extending between a first end coupled to said front support structure and an opposite second end coupled to said rearward end of said seat cushion frame for locking and retaining said seat assembly in any location between said seating position and said tumbled position in response to an acceleration force exerted on said seat assembly above a predetermined threshold thereby preventing inadvertent pivoting of said seat assembly towards said seating position; and

said front support structure including a circular spring fixedly secured thereto,  
said circular spring biasing said seat assembly towards said tumbled position.

3. (Amended) A seat assembly as set forth in claim 2 1 wherein said front support structure includes a mounting protuberance for receiving said first end of said locking strut.

8. (Amended) A seat assembly adapted to be mounted to a floor of a motor vehicle, said seat assembly comprising:

a seat cushion frame having a forward end and a rearward end for supporting an occupant on said seat assembly;

a front support structure pivotally coupled to said forward end of said seat cushion frame for pivoting said seat assembly between a generally horizontal seating position and a generally upright tumbled position; and

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a locking strut extending between a first end coupled to said front support structure and an opposite second end coupled to said rearward end of said seat cushion frame for pivoting said seat assembly about said front support structure to said tumbled position, said locking strut locking and retaining said seat assembly in any location between said seating position and said tumbled position in response to an acceleration force exerted on said seat assembly above a predetermined threshold thereby preventing inadvertent pivoting of said seat assembly towards said seating position; and

said front support structure including a circular spring fixedly secured thereto, said circular spring assisting said locking strut in pivoting said seat assembly towards said tumbled position.

The following is an examiner's statement of reasons for allowance: While Kammerer appears to teach all of the structures of the present invention, it fails to teach the front support structure including a circular spring fixedly secured thereto, the circular spring biasing said seat assembly towards said tumbled position.

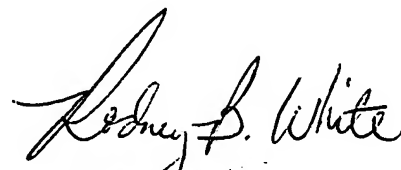
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (571) 272-6863. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rodney B. White,  
Patent Examiner  
Art Unit 3636  
February 21, 2006



RODNEY B. WHITE  
PRIMARY EXAMINER